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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

ESMELING L. BAHENA,

Plaintiff,

v.

D. ROHRDANZ,

Defendant.

Case No. 1:20-cv-00618-NONE-SKO (PC)

**ORDER DIRECTING THE CLERK OF
THE COURT TO CLOSE CASE**

The parties have filed a stipulation of dismissal with prejudice pursuant to Federal Rule of Civil Procedure 41(a)(1). (Doc. 38.) The rule provides that a “plaintiff may dismiss an action without a court order by filing . . . a stipulation of dismissal signed by all parties who have appeared.” Fed. R. Civ. P. 41(a)(1)(A)(ii). Once a stipulation under Rule 41(a)(1) is properly filed, no order of the court is necessary to effectuate dismissal; the dismissal is effective automatically. *See Com. Space Mgmt. Co. v. Boeing Co.*, 193 F.3d 1074, 1078 (9th Cir. 1999).

Because the parties have filed a stipulation of dismissal, signed by all parties or their counsel of record, this action has terminated. Accordingly, the Court DIRECTS the Clerk of the Court to close this case.

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1 As set forth on the record during the settlement conference held on May 6, 2021, and
2 pursuant to the parties' stipulation, (Doc. 38 at 2), the Court retains jurisdiction over the parties'
3 settlement agreement to enforce its terms, including consideration of any motion related thereto,
4 (*see* Doc. 37).

5
6 IT IS SO ORDERED.

7 Dated: **June 22, 2021**

/s/ *Sheila K. Oberto*
UNITED STATES MAGISTRATE JUDGE